



# Pennsylvania State Association of Boroughs

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**To:** Chairman Robert W. Godshall, PA House Consumer Affairs Committee

**From:** Edward C. Troxell, PSAB Director of Government Affairs

**Date:** March 22, 2012

**Re:** House Bill 2061 "The Wireless Broadband Collocation Act"

On behalf of our Commonwealth's borough communities I am contacting you and your committee regarding House **Bill 2061 (PN2854)**. Since 1911 PSAB has sought to promote and protect the interests of boroughs throughout the Commonwealth and in this case, **HB 2061** rises to a level of **concern** for our membership.

We understand that recently the **Fifth Circuit** US Court of Appeals upheld a **decision** of the Federal Communication Commission (**FCC**) to **limit state** and **local government** to act within 90 days to process wireless facilities siting applications requesting *collocation* and within 150 days to **process** all other applications. PSAB believes the **decision** provides relief and **direction** to telecommunications providers and **the** need to alter the *90 day timeframe* is **unnecessary, if not unwise**.

Turning to the aspects of collocation, **its processes** and aims, PSAB supports its wise use of established facilities. We realize **as technology** advances and telecommunications become more **sophisticated** its **infrastructure** must become adaptive. **Collocation** certainly embraces this dynamic and the association truly supports the practice, however it must be **effected** under a reasonable and established period of time. House Bill 2061 while adding structure to the implementation of collocation, **veers from** established approval time **frames** enumerated in the Municipal **Planning** Code. PSAB would add that **the** normative 90 day **approval time frame** under Section 508 of the MPC should be incorporated into the bill and the current 30 day time **frame** on **line 1, page 6 of PN2854** be deleted.

In all, as telecommunication providers **seek** to work cooperatively with municipal governments under commonly **accepted approval practices** the **more** apt are parties to **effect** the changes which collocation addresses. PSAB would like to thank the **Chairman** and **committee** for their **understanding regarding** our **concern** with the current language in **HB2061** and is available to discuss future remedies should the **committee** wish.